

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

SEP 20 2006
at 12 o'clock and 15 min. h M
SUE BEITIA, CLERK

LODGED

SEP 19 2006
3:55 pm
CLERK, U. S. DISTRICT COURT
DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA)	CR. NO. 05-00189 DAE
)	
Plaintiff)	APPLICATION AND ORDER
)	REGARDING TEMPORARY
vs.)	TRANSFER OF CUSTODY TO
)	THE STATE OF HAWAII
MICHAEL MIYASATO (04),)	REGARDING WRIT OF HABEAS
)	CORPUS AD PROSEQUENDUM;
)	EXHIBITS "A" AND "B"; AND
Defendants.)	ORDER
)	

APPLICATION AND ORDER REGARDING TEMPORARY
TRANSFER OF CUSTODY TO THE STATE OF HAWAII
REGARDING WRIT OF HABEAS CORPUS AD PROSEQUENDUM

JASON M. SKIER, Deputy Prosecuting Attorney for the County and State of Hawai'i, hereby moves the Honorable Court for an Order authorizing the temporary transfer of custody of MICHAEL MIYASATO, from the United States Marshal Service, District of Hawai'i, to State of Hawai'i Officials on October 4, 2006.

Defendant MICHAEL MIYASATO is now detained in the custody of the United States Marshal Service, District of Hawai'i, awaiting a jury trial.

Defendant MICHAEL MIYASATO has a sentencing hearing before the Honorable Greg K. Nakamura, Judge of the Circuit Court of the Third Circuit, State of Hawai'i, under Cr. No. 05-1-0402, currently scheduled for October 4, 2006, at 8:00 a.m.

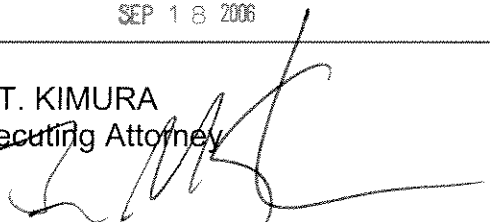
The State of Hawai'i has received approval for a temporary transfer of custody from the Assistant United States Attorney handling the above matter. (See, Exhibit "A")

This Application requests that the Court grant a temporary transfer of custody from the United States Marshal Service, District of Hawai'i, to State of Hawai'i Officials, based on the State of Hawai'i's Petition for Writ of Habeas Corpus Ad Prosequendum filed on September 13, 2006, filed under Cr. No. 05-1-0402, in the Circuit Court of the Third Circuit, State of Hawai'i. (See Exhibit "B")

Upon completion of said hearing, Defendant MICHAEL MIYASATO will be transported to the Hawai'i County Police Department at 349 Kapiolani Street, Hilo, Hawai'i for processing of identification purposes, and thereafter be returned to the United States Marshal Service, District of Hawai'i, that same day or as soon as possible thereafter.

DATED: Hilo, Hawai'i, SEP 18 2006

By JAY T. KIMURA
Prosecuting Attorney

By 
JASON M. SKIER
Deputy Prosecuting Attorney
County of Hawai'i